

Notice of Allowability

Application No.

10/743,987

Examiner

Lisa Hashem

Applicant(s)

GARG ET AL.

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7-5-2005.
2. ☒ The allowed claim(s) is/are 31,33 and 34.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. Claims 31, 33, and 34 are pending in this application.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
3. Authorization for this examiner's amendment was given in a telephone interview with Wendy W. Koba (Reg. No 30,509) on September 16, 2005.
4. The application has been amended as follows:

Claim 31, line 6 recites:

"the presence"

was changed to

--presence--

5. The application has been amended as follows:

Claim 31, line 7 recites:

"the absence"

was changed to

--absence--

Allowable Subject Matter

6. The following is an examiner's statement of reasons for allowance: upon close review of the claims, the prior art, and applicant's remarks it appears that the allowance of claims 31, 33, and 34 are appropriate.

Referring to the claimed invention, U.S. Patent No. 6,208,731 by DePond et al disclose a method of providing message notification in a telephone network, said method comprising: providing a data field of a CLASS signal associated with message status, defined as including a, and transmitting to a customer premise equipment (CPE) device according to a presence of a message or an absence of a message (col. 4, line 61 – col. 6, line 24).

U.S. Patent No. 6,498,835 by Skladman et al disclose a method of providing message notification in a telephone network having a voicemail server (Fig. 2a, 50), said method comprising: providing message status, and responding to a message server (Fig. 2a, 64) to transmit messages according to a presence of a message in said voicemail server and returning a message that no voice mail messages are currently retrievable from the voicemail server in an absence of a message in said voicemail sever (col. 4, line 21 – col. 5, line 6).

U.S. Patent No. 6,868,155 by Cannon et al disclose a method of providing message notification in a telephone network having a message storage unit (Fig. 1, 121), said method comprising: providing a display message associated with message status, and transmitting to a customer premise equipment (CPE) device (Fig. 1, 105) to transmit a display message according to a presence of a message in said message storage unit (col. 3, line 48 – col. 4, line 7; col. 5, lines 40-53).

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None of the prior art disclose providing a pair of unique ID numbers associated with message status, defined as a first unique ID number and a second unique ID number, and transmitting to a CPE device the first unique ID number according to a presence of a message in said voicemail server and the second unique ID number in an absence of a message in said voicemail server as claimed in Claim 31.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

8. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

(571) 273-8300 (for formal communications intended for entry)

Or call:

(571) 272-2600 (for customer service assistance)

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (571) 272-7542. The examiner can normally be reached on M-F 8:30-5:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LH

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September 16, 2005



FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER *2645*